IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 20132 of 2007(V)

PETITIONER:

REMANI GEORGE, AGED 53 YEARS,
W/O.GEORGE, HEAD CLERK/ACCOUNTANT,
MUNDIAPALLY SERVICE CO-OPERATIVE BANK LTD.,
NO.A 99, MUNDIAPPALLY, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.V.B.PREMACHANDRAN
SRI.P.K.SIVADASAN NAIR
SRI.K.N.GOVINDANKUTTY MENON
SRI.S.MADHAVAN NAIR
SRI.GNR.UNNITHAN

RESPONDENTS:

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1. PRESIDENT, MUNDIAPALLY SERVICE
CO-OPERATIVE BANK LTD., NO.A 99,
MUNDIAPALLY, PATHANAMTHITTA DISTRICT.

2. KAMALA DEVI, SECRETARY,
MUNDIAPALLY SERVICE CO-OPERATIVE BANK LTD.,
NO.A 99, MUNDIAPALLY, PATHANAMTHITTA DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 20132 OF 2007 V

Dated this the 2nd July, 2007

JUDGMENT

The Writ Petition is filed seeking the following reliefs:

> *"(i) Declare that the regular promotion granted to the second respondent as Secretary of 1st respondent Society from 1.4.1999 is illegal and unsustainable.*
>
> *(ii) Issue a writ of mandamus or order or direction to the 1st respondent to promote the petitioner as Secretary or to accommodate in any other identical post in 1st respondent Society from 1.4.1999 notionally and with monetary benefit from 21.10.2002."*

2. Petitioner has an effective alternate remedy under Section 69 of the Co-operative Societies Act. In such circumstances, I feel that the petitioner should be relegated to the pursuit of the remedy under Section 69 of the Act. Without

prejudice to the right of the petitioner to pursue the remedy under Section 69 of the Act, this Writ Petition is disposed of.

K. M. JOSEPH, JUDGE

kbk.